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Chapter 7 Trustee  
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8 **UNITED STATES BANKRUPTCY COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **SANTA ANA DIVISION**

11  
12 In re Case No. 8:21-bk-11710-SC  
13 JAMIE LYNN GALLIAN, Chapter 7  
14 Debtor.

15 JEFFREY I. GOLDEN, Chapter 7 Trustee, Adv. No. 8:23-ap-01064-SC  
16 Plaintiff,  
17 vs.  
18 J-SANDCASTLE CO., LLC; J-PAD LLC;  
19 STEVEN D. GALLIAN; BRIAN J.  
GALLIAN; JUSTIN BARCLAY; RONALD  
20 J. PIERPONT; ROBERT J. MCLELLAND;  
AND E. J. GALLIAN,  
21 Defendants.

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23 Plaintiff Jeffrey I. Golden, Chapter 7 Trustee (the "Plaintiff"), for the estate of  
24 Jamie Lynn Gallian (the "Debtor"), and defendants Steven D. Gallian, Brian J. Gallian;  
25 Justin Barclay, and E. J. Gallian (the "Stipulating Defendants"), hereby request that the Court  
26 approve the within stipulation of the parties as follows:

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## RECITALS

1. On July 9, 2021 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the "Bankruptcy Code").

2. Jeffrey I. Golden was appointed and continues to serve as Chapter 7 Trustee for the bankruptcy estate.

6       3. On or about August 20, 2020, prior to the Petition Date, a “Statement to Encumber”  
7 (the “Statement to Encumber”) was executed and submitted to the California Department of  
8 Housing and Community Development (the “HCD”) adding Steven D. Gallian and Brian J. Gallian  
9 as legal owners (i.e., lienholders) on the certificate of title for a manufactured home located at  
10 16222 Monterey Lane, Space #376, Huntington Beach, CA 92649, Decal # LBM1081, Serial #  
11 AC7V710394GA, AC7V710394GB (the “Property”).

12       4. Prior to the Petition Date, a UCC Financing Statement Amendment (UCC-3) was  
13 filed on behalf of Steven D. Gallian and Brian J. Gallian with the California Secretary of State,  
14 which purported to perfect or create a lien or liens on the Property as follows:

UCC Filing Date	UCC Type	Filing No.
12/4/2020	UCC-3 Amendment	U200034803831

5. After the Petition Date, a number of UCC Financing Statement Amendments (UCC-3) were filed on behalf of the Stipulating Defendants with the California Secretary of State, which purported to perfect or create a lien or liens on the Property as follows:

UCC Filing Date	UCC Type	Filing No.
9/8/2021	UCC-3 Amendment	U210083394336
9/8/2021	UCC-3 Amendment	U210083400018
9/12/2021	UCC-3 Amendment	U210084251426
9/12/2021	UCC-3 Amendment	U210084255728
9/12/2021	UCC-3 Amendment	U210084256326
9/24/2021	UCC-3 Amendment	U210088103629

6. The Stipulating Defendants are not parties to any security agreement or agreements that would grant them a security interest in or Lien on the Property.

7. On June 30, 2023, the Trustee initiated an adversary proceeding by filing his complaint (the "Complaint") against the Stipulating Defendants, among others, to avoid and recover the above liens and transfers on the Property.

8. The Trustee and the Stipulating Defendants have determined to enter into this stipulation for judgment to resolve their disputes with the Trustee in the Complaint that relate to the above liens and transfers as follows:

## **STIPULATION**

- 9        1. The above recitals are incorporated herein by this reference.

10      2. The Stipulating Defendants wave any interest in the Property.

11      3. The Statement to Encumber and any related lien on the Property is avoided and

12 preserved for the benefit of the Debtor's estate.

13      4. Judgment shall be entered in the Trustee's favor and against the Stipulating

14 Defendants avoiding and preserving the Statement to Encumber and any related lien for the benefit

15 of the Debtor's estate.

16      5. The following UCC Financing Statement Amendments (UCC-3) and any related

17 liens on the Property are avoided and preserved for the benefit of the Debtor's estate.

UCC Filing Date	UCC Type	Filing No.
12/4/2020	UCC-3 Amendment	U200034803831
9/8/2021	UCC-3 Amendment	U210083394336
9/8/2021	UCC-3 Amendment	U210083400018
9/12/2021	UCC-3 Amendment	U210084251426
9/12/2021	UCC-3 Amendment	U210084255728
9/12/2021	UCC-3 Amendment	U210084256326
9/24/2021	UCC-3 Amendment	U210088103629

6. Judgment shall be entered in the Trustee's favor and against the Stipulating Defendants avoiding and preserving the UCC Financing Statements and any related liens for the benefit of the Debtor's estate.

7. The Trustee is not entitled to a judgment for money against the Stipulating Defendants.

1       8. The Trustee and the Stipulating Defendants shall bear their own attorney's fees and  
2 costs.

3       9. The Stipulating Defendants agree to cooperate in a timely manner with the Trustee  
4 to carry out the purpose and effect of this Agreement including executing any further documents  
5 that may be required.

6       10. The Trustee is authorized to submit to the Bankruptcy Court a form of order and  
7 judgment consistent with this stipulation.

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9       **SO STIPULATED.**

10      DATED: August 25, 2023

DANNING, GILL, ISRAEL & KRASNOFF, LLP

11      By: 

12      AARON E. DE LEEST  
13      Attorneys for Plaintiff Jeffrey I. Golden,  
14      Chapter 7 Trustee

15      DATED: Sept 8, 2023

Shulman Bastian Friedman & Bui LLP

16      By: 

17      Leonard M. Shulman  
18      Attorney for Defendants Steven D. Gallian, Brian  
19      J. Gallian; Justin Barclay, and E. J. Gallian

20      DATED: August       , 2023

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22      \_\_\_\_\_  
23      Steven D. Gallian

24      DATED: August       , 2023

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26      \_\_\_\_\_  
27      Brian J. Gallian

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1           8. The Trustee and the Stipulating Defendants shall bear their own attorney's fees and  
2 costs.

3           9. The Stipulating Defendants agree to cooperate in a timely manner with the Trustee  
4 to carry out the purpose and effect of this Agreement including executing any further documents  
5 that may be required.

6       10. The Trustee is authorized to submit to the Bankruptcy Court a form of order and  
7 judgment consistent with this stipulation.

## **SO STIPULATED.**

10 | DATED: August \_\_\_, 2023 DANNING, GILL, ISRAEL & KRASNOFF, LLP

DANNING, GILL, ISRAEL & KRASNOFF, LLP

By:

AARON E. DE LEEST  
Attorneys for Plaintiff Jeffrey I. Golden,  
Chapter 7 Trustee

15 || DATED: August , 2023

Shulman Bastian Friedman & Bui LLP

17 By:

Leonard M. Shulman  
Attorney for Defendants Steven D. Gallian, Brian  
J. Gallian; Justin Barclay, and E. J. Gallian

20 | DATED: ~~July 31, 2023~~

  
Steven D. Gallian

24 DATED: September 6, 2023

Brian J. Gallian  
Brian J. Gallian

1      *September 6,*  
1 DATED: August, 2023

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3      *Brian J. Gallian*  
3 Brian J. Gallian, as guardian of E. J. Gallian

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5 DATED: August \_\_\_, 2023

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7      Justin Barclay

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1 DATED: August \_\_\_, 2023  
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Brian J. Gallian, as guardian of E. J. Gallian

5 DATED: August 31, 2023  
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Justin Barclay

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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): STIPULATION FOR JUDGMENT BETWEEN TRUSTEE AND DEFENDANTS STEVEN D. GALLIAN, BRIAN J. GALLIAN, JUSTIN BARCLAY, AND E. J. GALLIAN TO AVOID LIENS will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On September 26, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:** On September 26, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by causing to be placed a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

September 26, 2023  
Date

Beverly Lew  
Printed Name

/s/ Beverly Lew  
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

Bradford Barnhardt on behalf of Interested Party Courtesy NEF  
bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com,kfrederick@ecf.courtdrive.com

Aaron E. DE Leest on behalf of Plaintiff Jeffrey I. Golden  
adeleest@DanningGill.com, danninggill@gmail.com;adeleest@ecf.inforuptcy.com

Aaron E. DE Leest on behalf of Trustee Jeffrey I Golden (TR)  
adeleest@DanningGill.com, danninggill@gmail.com;adeleest@ecf.inforuptcy.com

Robert P Goe on behalf of Interested Party The Huntington Beach Gables Homeowners Association  
kmurphy@goforlaw.com, rgoe@goforlaw.com;goeforecf@gmail.com

Jeffrey I Golden (TR)  
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Eric P Israel on behalf of Trustee Jeffrey I Golden (TR)  
eisrael@danninggill.com, danninggill@gmail.com;eisrael@ecf.inforuptcy.com

Laila Masud on behalf of Interested Party Courtesy NEF  
lmasud@marshackhays.com, lmasud@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com

United States Trustee (SA)  
ustpregion16.sa.ecf@usdoj.gov

**2. SERVED BY U.S. MAIL**

Atty. for Defendants  
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Justin Barclay, and E. J. Gallian  
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LLP  
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Irvine, CA 92618-4969

The Honorable Scott C. Clarkson  
U.S. Bankruptcy Court  
411 W. Fourth Street, Suite 5130  
Santa Ana, CA 92701

Defendant  
Robert J. McLelland  
16222 Monterey Ln Unit 376  
Huntington Beach, CA 92649